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NIXON & VANDERHYE, PC			YEN, SYLING	
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/532,106	SHIPMAN, ROBERT A
	<b>Examiner</b>	<b>Art Unit</b>
	SYLING YEN	2166

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 28 April 2009.  
 2a) This action is **FINAL**.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 29-54 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 29-54 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____ .
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)	5) <input type="checkbox"/> Notice of Informal Patent Application
Paper No(s)/Mail Date _____.	6) <input type="checkbox"/> Other: _____ .

## **DETAILED ACTION**

### ***Continued Examination under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on April 28, 2009 has been entered.
2. This action is responsive to the communication filed on April 28, 2009. Claims 29 and 41 have been amended. Claims 29-54 are pending.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 29-30 and 41-42 are rejected under 35 U.S.C. 102(b) as being anticipated by Venkatraman et al (U.S. Patent 5,844,973 hereinafter, “Venkatraman”).
5. With respect to claim 29,

Venkatraman discloses **a method of generating a data store** (Venkatraman col. 2 lines 41-54, where merges the information in the reference file with the toll record to create a merged billing record (as generating a data store)) **comprising:**

**generating a plurality of records, wherein each record pertains to a respective one of a plurality of users including a first user, a second user and a third user** (Venkatraman col. 2 lines 18-26, 41-54 and col. 5 lines 37-46, where the reservation system creates a reference file about the conference based on information provided by a conference leader (as a first user) ... when either the dial-in or dial-out call is completed, the switch creates a call record for the dial-in call (as a record for a second user) or creates a call record for dial-out call (as a record for a third user) ... merges the information in the reference file with the toll record to create a merged billing record (as a record for a first user) and The first call type in FIG. 2 is a Vnet® dial-out call. It is a call on a Virtual Private Network in which a common carrier operator originates the communication with conferees (as a third user) for the conference. The second call type of FIG. 2 is Vnet® meet-me which is also a Virtual Private Network call where an arrangement is made by which any caller (as a second user) can dial a telephone number and using a specific access code can join a conference with other users), **wherein each record comprises a searchable identifier** (Venkatraman col. 3 lines 9-12, col. 6 lines 10-20 and FIG. 5-6, where FIG. 5 is a sequencing flowchart for customer ID processing in meet-me calls (as a searchable identifier of the record for the second user). FIG. 6 is a sequencing flowchart for customer ID processing in dial-out calls (as a searchable identifier of the record for the third user), and the reference file

contains the following information: Conference ID; Customer ID information for Bill to Leader (as a searchable identifier of the record for the first user) (Corp ID and Service Location ID), **and a linkable identifier** (Venkatraman col. 4 line 63 – col. 5 line 10, where the dial-in number (as a linkable identifier of the record for the second user) or dial-out number (as a linkable identifier of the record for the third user), calling party number (ANI), called party number (as a linkable identifier of the record for the first user), terminating switch ID and terminating trunk group ID (TSID/TTG), and the conference ID assigned to the conference), **wherein a record of the first user** (Venkatraman col. 2 lines 41-54, where merges the information in the reference file with the toll record to create a merged billing record (as a record for the first user)) **includes a first field for holding data about the first user** (Venkatraman col. 6 lines 10-20 and col. 9 lines 58-65, where the traffic processor 112 receives the reference file, previously generated by the reservation system 100, which contains the following information: Conference ID; "Bill to Leader or Bill to Conferee" Indicator; Customer ID information for Bill to Leader (as data about the first user) (Corp ID and Service Location ID), and these sub-headings appear on the merged billing record (MBR). As an example, the billing processor 114 may use the following sub-headings for the toll and feature charges for conference calls under each customer: a. Customer ID (as data about the first user)),

**a second field for holding data about at least one second user, obtained from a database of the first user** (Venkatraman col. 10 lines 36-52, where the Access Type field of the sort key distinguishes between the access types as shown

in FIG. 8B and is used to sequence the conference legs on the invoice by access type. The feature code values 10 and 13 identify either a dial-out or meet-me conference leg (as one second user), respectively ... If the dialed digits on the CDR matches the toll Meet-me number (as data about at least one second user) in the reference file (as a database of the first user), the toll record is for a conference leg using Toll Meet-me access), **and**

**a third field for holding linkable data referring to a record of at least one third user** (Venkatraman col. 10 lines 36-52, where the Access Type field of the sort key distinguishes between the access types as shown in FIG. 8B and is used to sequence the conference legs on the invoice by access type. The feature code values 10 and 13 identify either a dial-out or meet-me conference leg, respectively. The DDD and IDDD dial-out call legs (as at least one third user) are identified by scanning the dialed digits and the Called Party Number field (as linkable data referring to a record of at least one third user) on the PNR (Private Network Record) (as a record of at least one third user)), **based on presence of data about the third user in the database of the first user** (Venkatraman col. 3 lines 31-53, where the following information is typically requested by the reservation operator to schedule a conference: ... Names and Telephone Numbers for Dial-out Participants (as the third user) ... Based on the information, the reservation system creates a reference file for the conference (as based on the presence of data about the third user in the database of the first user)) **and/or presence of the first user in a database of the third user, and**

**identifying the records of the first user and the third user as linked records**

(Venkatraman col. 10 lines 36-52, where the Access Type field of the sort key distinguishes between the access types as shown in FIG. 8B and is used to sequence the conference legs on the invoice by access type. The feature code values 10 and 13 identify either a dial-out or meet-me conference leg, respectively. The DDD and IDDD dial-out call legs are identified (as identifying the records of the first user and the third user as linked records) by scanning the dialed digits and the Called Party Number field on the PNR (Private Network Record)).

6. With respect to claim 30,

Venkatraman further discloses **wherein the searchable identifier is a user identifier** (Venkatraman col. 3 lines 9-12, col. 6 lines 10-20 and FIG. 5-6 e.g. FIG. 5 is a sequencing flowchart for customer ID processing in meet-me calls (as a user identifier for the second user). FIG. 6 is a sequencing flowchart for customer ID processing in dial-out calls (as a user identifier for the third user), and the reference file contains the following information: Conference ID; Customer ID information for Bill to Leader (as a user identifier for the first user) (Corp ID and Service Location ID)), **and the linkable identifier one or more of user addresses, telephone numbers** (Venkatraman col. 4 line 63 – col. 5 line 10 e.g. the dial-in number (as a linkable identifier of the record for the second user) or dial-out number (as a linkable identifier of the record for the third user), calling party number (ANI), called party number (as a linkable identifier of the record for the first user)), **or mobile telephone numbers**.

7. Concerning claim 41-42,

The limitations therein have substantially the same scope as claims 29-30 because claims 41-42 are apparatus claims for implementing those methods of claims 29-30. Therefore claims 41-42 are rejected for at least the same reasons as claims 29-30.

***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

10. Claims 31 and 43 are rejected under 35 U.S.C. 103(a) as being obvious by Venkatraman as applied to claims 29-30 and 41-42 above, in view of De l'Etraz et al (U.S. Patent 6,324,541 hereinafter, "De l'Etraz").

11. With respect to claim 31,

Although Venkatraman substantially teaches the claimed invention, Venkatraman does not explicitly indicate **wherein the database of the first user comprises an address book.**

De l'Etraz teaches the limitations by stating **wherein the database of the first user comprises an address book** (De l'Etraz col. 15 lines 28-30 e.g. in an non-electronic address book format).

It would have been obvious to one of ordinary skill in the art of user record searching, at the time of the present invention, having the teachings of Venkatraman and De l'Etraz before him/her, to modify the user record searching method of Venkatraman, wherein the user record searching method would include address book as taught by De l'Etraz because that would have allowed the user record searching method to intelligently establish and present the contacts of contacts and further display (and print) the optimal relationship path to reach desired contacts (i.e., persons or organizations) (De l'Etraz col. 3 lines 21-23).

12. Concerning claim 43,

The limitations therein have substantially the same scope as claim 31 because claim 43 is a apparatus claim for implementing those methods of claim 31. Therefore claim 43 is rejected for at least the same reasons as claim 31.

13. Claims 32-34, 38-40, 44-46 and 50-54 are rejected under 35 U.S.C. 103(a) as being obvious by Venkatraman as applied to claims 29-30 and 41-42 above, in view of Kolluri et al (U.S. Patent Application 2003/0101286 A1 hereinafter, "Kolluri").

14. With respect to claim 32,

Although Venkatraman substantially teaches the claimed invention, Venkatraman does not explicitly indicate **ascribing a weighting to a linked record**.

Kolluri teaches the limitations by stating **ascribing a weighting** (Kolluri paragraph 0113 e.g. links  $(D1 \rightarrow Q2)$ ,  $(Q1 \rightarrow Q2)$  and  $(Q1 \rightarrow D2)$  are inferred relations 34, 33, and 35 in that they did not exist prior to inferred relation weighting process 32 processing the weight of the existing links  $(Q1 \leftrightarrow D1)$ ,  $(Q2 \leftrightarrow D2)$  and  $(D1 \leftrightarrow D2)$ .) **to a linked record**.

It would have been obvious to one of ordinary skill in the art of user record searching, at the time of the present invention, having the teachings of Venkatraman and Kolluri before him/her, to modify the user record searching method of Venkatraman, wherein the user record searching method would include ranking, ordering, weight, link distance, bi-directional link, frequency as taught by Kolluri because that would have allowed the user record searching method to deliver more robust searching results and further enhance the efficiency of the user record searching method of Venkatraman (Kolluri paragraph 0018).

15. With respect to claim 33,

Kolluri further discloses **identifying reciprocal links** (Kolluri paragraph 0113 e.g. links  $(D1 \rightarrow Q2)$ ,  $(Q1 \rightarrow Q2)$  and  $(Q1 \rightarrow D2)$  are inferred relations 34, 33, and 35 in that

they did not exist prior to inferred relation weighting process 32 processing the weight of the existing links (Q1 $\leftarrow\rightarrow$ D1), (Q2 $\leftarrow\rightarrow$ D2) and (D1 $\leftarrow\rightarrow$ D2).) **for inclusion in the third field of each record identified as including a linkable identifier to and/or from the other.**

16. With respect to claim 34,

Venkatraman further discloses **in response to a request from a first user based on a specified searchable identifier, comprising**

**searching for the searchable identifier in the second and third fields of the record of the first user, and in other records** (Venkatraman col. 2 lines 18-26, 41-54 e.g. the reservation system creates a reference file about the conference based on information provided by a conference leader ... when either the dial-in (as second field) or dial-out (as third field) call is completed, the switch creates a call record, which includes the conference ID, and transfers the call record to the conference billing processing means comprising a traffic processor and a billing processor. The traffic processor identifies those records pertaining to a conference and also performs customer identification processing (as searching for the searching identifier in the second and third fields of the record of the first user, and in other records)), **and compiling a list of any or all user records which include the searchable identifier** (Venkatraman col. 2 lines 18-26, 41-54 e.g. the call records are then forwarded to the billing processor. The billing processor identifies the toll records as dial-in or dial-out call types from a field on the toll record. The billing processor then obtains the reference information for the conference from the reference file produced by

the reservation system and merges the information in the reference file with the toll record to create a merged billing record (as compiling a list of all user records)).

17. With respect to claim 38,

Kolluri further discloses **ordering the list** (Kolluri paragraphs 0035 and 0062 e.g. order the resulting list; Usually a decreasing weighting order) **in accordance with link distance** (Kolluri paragraph 0083 e.g. limiting the link distances to a length of three ... from a first node of the system (A) to a second node of the system) **between a particular record and the record of the first user.**

18. With respect to claim 39,

Kolluri further discloses **ranking the listed records** (Kolluri paragraphs 0030 e.g. This will result in a score (not shown) being generated for each entry, wherein these entries are ranked within list 26 in accordance with these scores.).

19. With respect to claim 40,

Kolluri further discloses **identifying a record in dependence on its rank** (Kolluri paragraphs 0038-0039 e.g. detect and identify high quality document ... enhance their document ranking accuracy), **and retrieving information relating to the identified record for presentation to the first user.**

20. With respect to claim 52,

Kolluri further discloses **wherein the listing means is arranged to rank each of the listed user records based on at least one of its weighting, its link distance from the record of the first user, or its frequency** (Kolluri paragraph 0035 e.g. The

final score (or relevancy score) for each document is computed using the frequency of occurrence) **of occurrence in the list.**

21. With respect to claim 54,

Kolluri further discloses **wherein the listing means is arranged to rank each of the listed user records based on at least one of its weighting, its link distance from the record of the first user, or its frequency** (Kolluri paragraph 0035 e.g. The final score (or relevancy score) for each document is computed using the frequency of occurrence) **of occurrence in the list.**

22. Concerning claim 44-46, 50-51 and 53,

The limitations therein have substantially the same scope as claims 32-34 and 38-40 because claims 44-46, 50-51 and 53 are apparatus claims for implementing those methods of claims 32-34 and 38-40. Therefore claims 44-46, 50-51 and 53 are rejected for at least the same reasons as claims 32-34 and 38-40.

23. Claims 35-37 and 47-49 are rejected under 35 U.S.C. 103(a) as being obvious by Venkatraman in view of Kolluri, and further in view of De l'Etraz et al (U.S. Patent 6,324,541 hereinafter, "De l'Etraz").

24. With respect to claim 35,

Although Venkatraman and Kolluri substantially teaches the claimed invention, they do not explicitly indicate **searching for the searchable identifier comprises searching for the searchable identifier in the other records only if the searchable identifier is not found in the second and third fields of the record of the first user.**

De l'Etraz teaches the limitations by stating **searching for the searchable identifier comprises searching for the searchable identifier in the other records** (De l'Etraz col. 24 lines 4-44 e.g. If step 2710 is not successful, the user may then, in step 2714, click the "Local Contact Pathway" (LCP) search button 2212. In step 2716, the CIDM system 100 responds to this input by searching the users' private database(s) 104 in conjunction with the public database(s) 102 for direct contacts (i.e., "Do I have a contact pathway to the inputted person at the inputted organization?") **only if the searchable identifier is not found** (De l'Etraz col. 24 lines 4-44 e.g. not successful) **in the second and third fields** (De l'Etraz col. 24 lines 4-44 e.g. contact) **of the record of the first user** (De l'Etraz col. 24 lines 4-44 e.g. the person).

It would have been obvious to one of ordinary skill in the art of user record searching, at the time of the present invention, having the teachings of Venkatraman, Kolluri and De l'Etraz before him/her, to modify the user record searching method of Venkatraman and Kolluri combination, wherein the user record searching method would include searching other records as taught by De l'Etraz because that would have allowed the user record searching method to intelligently establish and present the contacts of contacts and further display (and print) the optimal relationship path to reach desired contacts (i.e., persons or organizations) (De l'Etraz col. 3 lines 21-23).

25. With respect to claims 36,

De l'Etraz further discloses **searching for the searchable identifier in all other records, or a pre-specified set of other records** (De l'Etraz col. 24 lines 4-44 e.g. If step 2710 is not successful, the user may then, in step 2714, click the "Local Contact

Pathway" (LCP) search button 2212. In step 2716, the CIDM system 100 responds to this input by searching the users' private database(s) 104 in conjunction with the public database(s) 102 for direct contacts (i.e., "Do I have a contact pathway to the inputted person at the inputted organization?").

26. With respect to claim 37,

Kolluri further discloses **searching for the searchable identifier in a pre-specified set of other records which are a pre-specified link distance** (Kolluri paragraph 0083 e.g. limiting the link distances to a length of three ... from a first node of the system (A) to a second node of the system) **from the user record of the first user**.

27. Concerning claims 47-49,

The limitations therein have substantially the same scope as claims 35-37 because claims 47-49 are system claims for implementing those methods of claims 35-37. Therefore claims 47-49 are rejected for at least the same reasons as claims 35-37.

### ***Response to Argument***

28. Applicant's remarks and arguments presented on April 28, 2009 have been fully considered but they are moot in view of the new grounds of rejection presented in this office action.

29. Further, according to page 8 lines 3-8, 29-34 and FIGs 1-3 of the instant specification, Examiner has interpreted the method recited in claim 29 is implemented at least in part using computer software, and therefore inherently operated at least in part within a computer hardware which belongs to one the statutory classes.

30. Still further, according to page 14 lines 19-26, page 15 lines 3-10 and FIG 3 of the instant specification, Examiner has interpreted the server means illustrated in Fig. 3 is the record generation means recited in claim 41 which is implemented at least in part using at least a hardware device, e.g. Hard Disk, system memory, ... etc. which belongs to one the statutory classes.

### ***Conclusion***

The prior art made of record, listed on form PTO-892, and not relied upon, if any, is considered pertinent to applicant's disclosure.

31. The examiner requests, in response to this office action, support be shown for language added to any original claims on amendment and any new claims. That is, indicate support for newly added claim language by specifically pointing to page(s) and line no(s) in the specification and/or drawing figure(s). This will assist the examiner in prosecuting the application.

32. When responding to this office action, Applicant is advised to clearly point out the patentable novelty which he or she thinks the claims present, in view of the state of the art disclosed by the reference cited or the objections made. He or she must also show how the amendments avoid such references or objections See 37 CFR 1.111(c).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SyLing Yen whose telephone number is 571-270-1306. The examiner can normally be reached on Mon-Fri 8:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on 571-272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SyLing Yen  
Examiner  
Art Unit 2166

SY  
July 1, 2009  
/SyLing Yen/  
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